

REMARKS

Consideration is respectfully requested in light of the foregoing Amendments, which are explained in the Remarks that follow.

Claims 21-68 are pending in the application, with claims 21, 37, and 53 being the independent claims. Claims 1-20 are canceled. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Information Disclosure Statement

Applicant respectfully and concurrently submits an Information Disclosure Statement (IDS) which includes all of the references which applicant is currently aware, including the cited references from the cross-referenced Patent Application, Ser. No. 09/501,169.

Applicant understands that the submission of any actions from this cross-referenced patent application is not required by the Office (See MPEP 2001.06(b)). Applicant respectfully submits that the same Examiner is examining both this and the cross-referenced patent application, and has immediate access to the actions from each. If, however, the Office should like applicant to submit the actions for any reason, such as to expedite the examination of the present application, or to facilitate an efficient exchange of information with the Office, then applicant respectfully submits that all actions will be provided upon written request.

Furthermore, applicant understands that the entire file histories, including the above-mentioned detailed actions, will be available soon to every Examiner of the Office through the Electronic File System (EFS). Applicant respectfully submits that for applications available through the EFS, the above-stated cross-reference to the related application is sufficient under applicable law.

Non-statutory Double Patenting

At ¶ 3, the Office Action provisionally rejects claims 1-16 and 18 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 of co-pending Patent Application No. 09/501,169 (hereinafter the '169 application).

Applicant respectfully submits that the rejection is rendered moot by the cancellation of claims 1-16 and 18. Furthermore, applicant respectfully submits that new claims 21-68 are believed to be distinguishable over the claims of '169 application. For example, applicant submits that publishing of a manuscript that is reviewed under the collaborative process of the claimed invention is neither present nor claimed in the '169 application.

In the interests of expediting prosecution, applicant respectfully requests that the Office telephone the undersigned in the event that the Office does not agree that the claims are distinguishable.

Rejections under 35 U.S.C. § 112

At ¶ 5, the Office Action rejects claims 1-17, 19, and 20 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant respectfully submits that these rejections are rendered moot by the cancellation of claims 1-17, 19, and 20. Furthermore, applicant respectfully submits that new claims 21-68 overcome any of the alleged deficiencies upon which the rejections were based. Therefore, withdrawal of these rejections is respectfully requested.

Rejections under 35 U.S.C. § 103

Beginning at ¶ 14, the Office Action provides three rejections under 35 U.S.C. § 103(a):

1. Claims 1-5 and 8-12 are rejected as being unpatentable over U.S. Patent 6,374,274 B1 to Myers et al. (hereinafter Myers);

2. Claims 6, 7, 13-15, and 18-20 are rejected as being unpatentable over Myers in view of U.S. Patent 6,336,124 B1 to Alam et al. (hereinafter Alam).
3. Claims 16 and 17 are rejected as being unpatentable over Myers in view of Alam, and further in view of U.S. Patent 5,706,452 A to Ivanov (hereinafter Ivanov).

Applicant respectfully submits that these rejections are rendered moot by the cancellation of claims 1-20. Furthermore, applicant respectfully submits that new claims 21-68 are patentable over the cited references. Therefore, withdrawal of these rejections is respectfully requested.

The amendments were not made on the basis of any rejection and are intended to place the claims in a condition to better express previously claimed features of the invention. In the interests of furthering prosecution, applicant respectfully submits the following comments to distinguish the claimed invention from the cited references.

Myers discloses a process for content distribution under which a subscriber or content provider makes available a collection of static content to clients. The content is stored in text/ASCII format on a CD-ROM (source disk) that is attached to a server. See Myers, Figure 1. Text files are formatted in a word processing program using a conversion macro and moved to a network server for distribution to users. See Myers, Figure 4. User access is controlled by user name and password and content delivered can be customized based on the user's profile or requests. Placeholders are inserted in the converted files that allow certain user information from the database to be inserted in the pages viewed by the user (for example, "Welcome <user name>").

In contrast with Myers, the present invention provides manuscript submission, as well as distribution and management of editorial and review of the manuscript. Furthermore, the claimed invention includes the review of manuscripts by a plurality of clients, including, but not limited to editors and reviewers. The claimed invention also includes the management of subsequent decision-making regarding a reviewed manuscript, as well as the publication of the manuscript. See new claims 21, 37, and 53.

In part, to accomplish this functionality, the claimed invention provides and stores reviews, correspondence, reports, and other relevant information to facilitate the responses from one or more of the plurality of clients.

In contrast, Myers appears to teach a static content providing system that only delivers a single file. The claimed invention publishes a manuscript that has been altered by clients in collaborative process where the manuscript is potentially reviewed by more than one client and where different versions of the manuscript are subject to further review, along with the comments and other relevant information provided with each review.

Myers teaches providing customized, personalized versions of identical content to each different user. In contrast, the claimed invention displays the originally submitted manuscript as well as any changes or revisions or comments, with each attributable to the client which provided them.

Further with respect to the claimed invention, Myers does not address nor show examples of 1) a network connecting said plurality of computers together for communication of data relating to said plurality of manuscripts among said plurality of computers and said database, and 2) a means for publishing manuscripts. See claims 21, 37, and 53.

In light of the distinctions stated above, the limitations of Myers are readily apparent. Specifically, Myers neither teaches nor suggests the submission, reviewing and/or altering of manuscripts where versions of the manuscript are provided for continued review and revision. See claims 21, 37, and 53. Furthermore, Myers neither teaches nor suggests the publication of versions of the manuscripts as discussed in detail above.

Applicant respectfully submits that the above-stated distinctions with respect to Myers apply identically to the rejections applying Myers in view of Alam, and Myers and Alam in view of Ivanov.

For at least the above reasons, Applicant respectfully submits that independent claims 21, 37, and 53 are clearly patentable over the applied reference. The claims depending therefrom are believed to be allowable for at least the reasons described above with respect to the independent

claims, and further in view of their own respective features. Withdrawal of these rejections is respectfully requested.

Conclusion

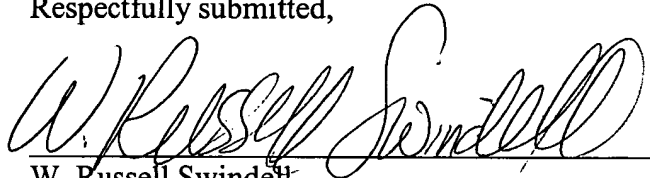
All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all currently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this amendment and reply is respectfully requested.

Date:

July 29, 2004

Respectfully submitted,



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